

#11

Rec'd
4/17/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	Group Art Unit: 3304
S.D. AUGUSTINE ET AL)	
)	
Serial No. 08/855,061 ✓)	
)	
Filed: May 13, 1997)	Examiner: M. Graham
)	
For: THERMAL BLANKET)	

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

TERMINAL DISCLAIMER

Your Petitioner, AUGUSTINE MEDICAL, INC., represents that, by virtue of an Assignment recorded in the United States Patent Office on February 23, 1990, at Reel 5244, Frame 0712, it is the owner of United States Patent Application Serial No. 08/855,061. Your petitioner, AUGUSTINE MEDICAL, INC., hereby disclaims the terminal part of any patent granted on United States Patent Application Serial No. 08/855,061 which would extend beyond the expiration date of U.S. Patent 5,184,612 and hereby agrees that any patent so granted on United States Patent Application Serial No. 08/855,061 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent 5,184,612 this agreement to run with any ~~patent~~ granted on United States Patent Application Serial No. 08/855,061 and to be binding upon the grantee, its successors or assigns.

04/13/1998 SSLEEKU 00000012 08855061
02 FC:248

I have reviewed the evidentiary documents concerning ownership of United States Patent Application Serial No. 08/855,061 and, to the best of my knowledge and belief, they establish the entire right, title, and interest to United States Patent Application Serial No. 08/855,061 and to United States Patent 5,184,612 in AUGUSTINE MEDICAL, INC.

I, TERRANCE A. MEADOR, have the power of attorney from the inventors, and I am authorized to sign this Terminal Disclaimer on behalf of AUGUSTINE MEDICAL, INC.

Dated: 3 April 998

A handwritten signature in cursive script that reads "Terrance A. Meador". The signature is written in dark ink and is positioned above the printed name of the signatory.

TERRANCE A. MEADOR
Reg. No. 30,298
Attorney for Applicant(s)

MAY 03 1990

Euler, Mathieu, Jost & Moser

- INVENTOR: 001 AUGUSTINE, SCOTT D.
INVENTOR: 002 AUGUSTINE, DOUGLAS J.

ASSIGNMENT

WHEREAS, SCOTT D. AUGUSTINE, 9017 Cavell Circle, Bloomington, Minnesota, 55438, and DOUGLAS J. AUGUSTINE, 18546 Avon Court, Eden Prairie, Minnesota, 55346, hereinafter referred to as Assignors have acquired rights to a certain invention and a United States patent application covering the same; and

WHEREAS, in accordance with the terms of an agreement dated 7/15/87, the Assignors have agreed with AUGUSTINE MEDICAL, INC., a corporation of the State of Minnesota, having a principal place of business at 10393 West 70th Street, Suite 100, Eden Prairie, Minnesota, 55344, hereinafter referred to as the Assignee, the Assignors have agreed to assign these rights to the Assignee; and

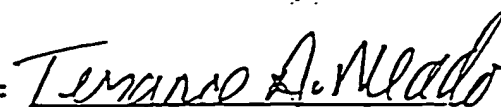
NOW, THEREFORE, be it known that for good and valuable consideration, the Assignors do hereby formally grant, bargain, sell, transfer, convey and assign to the Assignee, its successors, legal representatives or assigns, the entire right, title, and interest in and to United States Patent Application Serial No. 07/227,189, filed August 2, 1988 and entitled "THERMAL BLANKET", and all continuations and divisions thereof, said U.S. Patent Application to be held and enjoyed by the Assignee for its own use and enjoyment and for the use and enjoyment of its successors, assigns or other legal representatives as fully and entirely as the same would have been held and enjoyed by the Assignors had this Assignment not been made.

The Assignors covenant that they have the right to grant this Assignment.

Executed at Eden Prairie, Minnesota, this 7th day of February, 1990.


SCOTT D. AUGUSTINE


DOUGLAS J. AUGUSTINE

Witness: 

RECORDED
PATENT & TRADEMARK OFFICE

FEB 23 90

FILED 5244 MAR 7 12